

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THE HIPSAVER COMPANY, INC.,)	
)	Civil Action No. 05-10917 PBS
Plaintiff,)	
)	
v.)	
)	
J.T. POSEY COMPANY,)	
)	
Defendant.)	
)	
AND RELATED COUNTERCLAIM.)	
)	

**THIRD STIPULATION AND REQUEST FOR ORDER RE DEFENDANT’S
RESPONSE TO PLAINTIFF’S FURTHER MOTION TO COMPEL
IMMEDIATE PRODUCTION OF DOCUMENTS AND INFORMATION IN
RESPONSE TO ITS SECOND REQUEST FOR PRODUCTION OF
DOCUMENTS**

Plaintiff The HipSaver Company, Inc. (“HipSaver”) and Defendant J.T. Posey Company, Inc. (“Posey”) through their respective attorneys, hereby stipulate as follows:

1. Plaintiff electronically filed and served its Further Motion to Compel Immediate Production of Documents and Information in Response to its Second Request for Production of Documents (the “Motion”) on April 3, 2006 (Docket No. 113);
2. Defendant’s deadline to file and serve its response to the Motion was originally April 17, 2006;
3. On April 13, 2006, counsel for Posey, Douglas H. Morseburg, was involved in an accident in which he suffered serious physical injuries;

4. As a consequence of the foregoing, the parties agreed that the time within which Posey would be required to file and serve its opposition to the Motion would be extended by one week, to and including, April 24, 2006, and a Stipulation reflecting said agreement was filed with Court on April 17, 2006.
5. On April 20, 2006, the Court issued an Electronic Order granting the extension to April 24, 2006.
6. Since the date of filing of the stipulation mentioned above, Mr. Morseburg has required additional physical treatment for the injuries he suffered on April 13, 2006.
7. On April 24, 2006, the parties filed a further stipulation, requesting that Posey have until April 25, 2006 to file its opposition to the Motion. (Docket No. 120.)
8. As of the end of the day on April 25, 2006, the Court had not yet posted on the ECF website an order with respect to the further stipulation filed on April 24, 2006.
9. As a further accommodation to counsel for Posey, counsel for HipSaver has agreed to a third extension whereby Posey will be required to file and serve its opposition to the Motion on May 1, 2006, and the parties hereby request the Court to order that the deadline shall be extended accordingly.

Dated: April 25, 2006

J.T. POSEY COMPANY
By its attorneys,

/s/ Douglas H. Morseburg
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Dated: April 25, 2006

THE HIPSAVER COMPANY, INC.
By its attorneys,

/s/ Courtney Meehan Quish
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